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PATENT & TRADEMARK OFFICE

ACE Filed 10/15/02

Atty. Dkt. No. 029318-0109

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Applicant: Bosch et al.
Title: DRY POWDER AEROSOLS OF NANOPARTICULATE DRUGS

Appl. No.: 09/190,138
Filing Date: 11/12/1998
Examiner: Todd D. Ware
Art Unit: 1615

09.22.03

AMENDMENT PURSUANT TO 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is responsive to the final Office Action dated February 11, 2002, concerning the above-referenced patent application. While the shortened statutory period for response has expired, filed herewith is a Petition for a two month extension of time.

Please amend the application as follows.

In the Claims:

In accordance with 37 C.F.R. § 1.121, please substitute for claims 90, 97, 104, 111, and 119 the following rewritten versions of the same claims, as amended. The changes are shown explicitly in the attached "Marked-Up Version of Amended Claims to Show Changes Made."

*Sub
Fib*

90. (Amended) The method of claim 40, wherein the drug is selected from the group consisting of proteins, peptides, elastase inhibitors, analgesics, cystic-fibrosis therapies, asthma therapies, emphysema therapies, respiratory distress syndrome therapies, chronic bronchitis therapies, chronic obstructive pulmonary disease therapies, organ-transplant rejection therapies, therapies for tuberculosis and other infections of the lung, fungal infection therapies, and respiratory illness therapies associated with acquired immune deficiency syndrome, an oncology drug, an anti-emetic, and a cardiovascular agent.

07/15/2002 HNDOR1 00000072 09190138

01 FC:103 54.00 DP
02 FC:116 400.00 DP

Interview Summary	Application No.		Applicant(s)	
	10/947,604		SCHRIDDE ET AL.	
	Examiner		Art Unit	
	JAMES D. ANDERSON		1614	

All participants (applicant, applicant's representative, PTO personnel):

(1) JAMES D. ANDERSON. (3) _____

(2) Hsin Lin. (4) _____

Date of Interview: 15 September 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: pending claims.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Ms. Lin confirmed that no response to the Final Rejection mailed 3/10/2008 was filed.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/James D Anderson/
Examiner, Art Unit 1614